IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

WP(C).No. 31953 of 2007(D)

AGAINST THE ORDER DATED 23/10/2007 IN IA 1456/2007 IN OPEP.43/2005 of M.C.,PARAPPANANGADI

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PETITIONER:

MADAPPALLI HAMZAKUTTY
AGED 41 YEARS,S/O. KUNGUMOHAMMED
CHETTALIPARAMBA (HOUSE) CHEMMMAD,
TRIKULAM, THIRURANGADI, KOZHIKODE.

BY ADV. SRI.JESWIN P.VARGHESE

RESPONDENT:

CHAPPANGATHIL HYDRU HAJI
AGED 70 YEARS,S/O,. KUNHAMMED,
CHAPPANGATHIL HOUSE, KODINHI, CHEMMAD
TRILULAM, THIRURANGADI KOZHIKODE.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 26/10/2007 , THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N.Krishnan, J.

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W.P(C).No.31953 of 2007

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Dated this the 26th day of October, 2007.

JUDGMENT

This Writ Petition is filed challenging the order of the Munsiff, Parappanangadi in I.A.No.1456 of 2007 in O.P.(Election) No.43 of 2005. I feel that the very petition itself is premature. Evidence has not started and the witness to whom the document is to be put has not been examined and no stage has come for sending the documents for comparison by an expert.

2. Therefore, I dismiss the Writ Petition. If at any stage the court feels that for a proper adjudication of the matter a comparison of signature by an expert is necessary, the court may so direct.

M.N.Krishnan,
Judge.

ess 26/10